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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

ROWLAND MARCUS ANDRADE

Defendant.

NO. CR 20-00249 RS

**DECLARATION OF AUSA CHRISTIAAN  
HIGHSMITH IN SUPPORT OF UNITED  
STATES' MOTION FOR RULE 15  
DEPOSITION**

Dept.: Courtroom 3 – 17th Floor  
Judge: Hon. Richard Seeborg

Trial Date: February 10, 2025  
Pretrial Conf: January 22, 2025

I, Christiaan Highsmith, declare and state as follows:

I am an Assistant United States Attorney for the Northern District of California assigned to the prosecution of the above-captioned case.

- 1 1. Attached as **Exhibit 1** and filed under seal is a true and correct copy of an FBI 302  
2 summarizing an interview of Jack Abramoff on November 14, 2024, and produced to  
3 defendant Andrade as Bates-number FBI-302-027578 to FBI-302-027586.
- 4 2. Attached as **Exhibit 2** and filed under seal are medical records provided by Jack Abramoff's  
5 attorney, Richard Weber, Partner, Winston & Strawn LLP, on January 5, 2025. I emailed  
6 this document to Mr. Andrade's defense team on January 7, 2025. This document is Bates-  
7 numbered FBI-302-034386.
- 8 3. Attached as **Exhibit 3** and filed under seal are medical records provided by Jack Abramoff's  
9 attorney, Richard Weber, Partner, Winston & Strawn LLP, on January 5, 2025. I emailed  
10 this document to Mr. Andrade's defense team on January 7, 2025. This document is Bates-  
11 numbered FBI-302-034431 to FBI-302-034433.
- 12 4. Attached as **Exhibit 4** and filed under seal are medical records provided by Jack Abramoff's  
13 attorney, Richard Weber, Partner, Winston & Strawn LLP, on January 5, 2025. I emailed  
14 this document to Mr. Andrade's defense team on January 7, 2025. This document is Bates-  
15 numbered FBI-302-034436 to FBI-302-034440.
- 16 5. On November 14, 2024, I learned for the first time that Jack Abramoff might have cancer but  
17 that additional tests were needed to confirm the diagnosis and treatment plan. Shortly after  
18 November 14, 2024, I requested medical records from Attorney Richard Weber that would  
19 confirm Mr. Abramoff's cancer diagnosis, symptoms, and treatment.
- 20 6. On December 19, 2024, Attorney Weber emailed me the name and resume of Mr.  
21 Abramoff's treating oncologist, Dr. Nina Wagner-Johnston, Professor of Oncology, Director  
22 of Hematologic Malignancies, National Capitol Region, Sidney Kimmel Cancer Center at  
23 Johns Hopkins University. I reiterated the need for additional medical records pertaining to  
24 Mr. Abramoff's cancer diagnosis.
- 25 7. On December 20, 2024, I sent out two subpoenas for Mr. Abramoff's medical records to the  
26 institution treating Mr. Abramoff and to his physician.

- 1 8. On December 23, 2024, government counsel and defense counsel held a telephonic meeting  
2 to discuss various issues related the upcoming trial. During that meeting, I informed  
3 Andrade's defense team of Abramoff's cancer diagnosis and stated that a Rule 15 deposition  
4 likely would be appropriate. I also informed defense counsel that I was in the process of  
5 obtaining medical records to confirm Mr. Abramoff's cancer diagnosis, treatment, and  
6 symptoms.
- 7 9. Attached as **Exhibit 5** and filed under seal is a letter from Dr. Nina Wagner-Johnston to  
8 AUSA Highsmith regarding Jack Alan Abramoff, dated Dec. 24, 2024, which was provided  
9 by Jack Abramoff's defense counsel, Richard Weber, Partner, Winston & Strawn LLP, to me  
10 on December 25, 2024. I emailed this document to Mr. Andrade's defense team on  
11 December 26, 2024. In the body of my email to Andrade's defense team I emphasized that a  
12 Rule 15 deposition of Mr. Abramoff may be necessary given his medical condition and the  
13 related circumstances.
- 14 10. I continued working to obtain medical records from Mr. Abramoff's counsel and the medical  
15 institution treating him. On January 5, 2025, Attorney Weber, Mr. Abramoff's counsel,  
16 emailed me approximately 55 separate PDF attachments consisting of medical records for  
17 Mr. Abramoff.
- 18 11. On January 7, 2025, I forwarded the 55 PDF documents consisting of medical records for  
19 Mr. Abramoff to Andrade's legal team. In my email accompanying the medical records, I  
20 requested that Andrade's defense team stipulate to a Rule 15 deposition for Abramoff given  
21 his medical condition. Meanwhile, I continued to seek medical records from the Johns  
22 Hopkins hospital system.
- 23 12. On January 7, 2025, I spoke with the hematology oncology nurse navigator referenced in  
24 **Exhibit 5**, Dr. Wagner-Johnston's Dec. 24, 2025 Letter, regarding Abramoff's chemotherapy  
25 treatment schedule. *Id.* The nurse navigator stated that Abramoff is undergoing active  
26 treatment for lymphoma, which includes several cycles of chemotherapy treatment. *Id.* She  
27 further stated that Abramoff received his first cycle of chemotherapy treatment on or about  
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December 11, 12, and 13, 2024, and his second cycle of treatment January 1 and 2, 2025. *Id.* She stated that Abramoff is scheduled to receive a third cycle of treatment on January 22 and 23, 2025, and likely would receive a fourth cycle of treatment on or about February 12 and 13, 2025.

13. On January 9, 2025, the government's trial team conferred with Andrade's trial team during a videoconference. The parties discussed stipulating to a Rule 15 deposition. Andrade's defense team asserted that they were not necessarily opposed to an in-person Rule 15 deposition in principle but that they needed additional medical and treatment records before agreeing to stipulate to a Rule 15 deposition. Undersigned counsel for the government agreed to provide additional medical records as soon as he received them.

14. Attached as **Exhibit 6** and filed under seal is a letter from Dr. Nina Wagner-Johnston to AUSA Highsmith regarding Jack Alan Abramoff, dated Jan. 7, 2025, which was provided by Jack Abramoff's defense counsel, Richard Weber, Partner, Winston & Strawn LLP, to me on January 13, 2025. I emailed this document to Mr. Andrade's defense team later the same day. In the body of my email to Andrade's defense team I emphasized that a Rule 15 deposition of Mr. Abramoff may be necessary given his medical condition and the related circumstances.

*[Remainder of page intentionally left blank.]*

1 15. I have worked to obtain Mr. Abramoff's medical records from Johns Hopkins Health System,  
2 their subpoena response center, and counsel for Johns Hopkins. Due to the sensitivity  
3 surrounding patient medical records and HIPPA, the hospital system and their counsel have  
4 been slow in providing records. To date, I have not received any medical records from Johns  
5 Hopkins or their counsel. As of the filing of this motion, defense counsel have not agreed to  
6 stipulate to a Rule 15 deposition for Mr. Abramoff.

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8 Executed this 15<sup>th</sup> day of January, 2025, in San Francisco, California.

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10  
11 /s/ Christiaan Highsmith  
12 CHRISTIAAN HIGHSMITH  
13 Assistant United States Attorney  
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